

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Gabriel Miguel Torrens

Docket No. 4:95-CR-65-17H

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Gabriel Miguel Torrens, who, upon an earlier plea of guilty to Conspiracy to Possess With Intent to Distribute Cocaine and Cocaine Base, 21 U.S.C. § 846, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on August 13, 1996, to the custody of the Bureau of Prisons for a term of 235 months. On December 17, 2008, the defendant's sentence was reduced to a term of 188 months, pursuant to 18 U.S.C. § 3582(c)(2). It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
4. The defendant shall pay a \$50 special assessment and a \$10,000 fine.

Gabriel Miguel Torrens was released from custody on January 15, 2010, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On September 2, 2012, in Wake County, North Carolina, the defendant was charged with Driving While Impaired. As a result of his non-compliance, the probation office is asking that he be continued on supervision and required to complete 24 hours of community service. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

Gabriel Miguel Torrens
Docket No. 4:95-CR-65-17H
Petition For Action
Page 2

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the \$200 fee.
2. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his privilege to do so is restored in accordance with law.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller

Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Maurice J. Foy

Maurice J. Foy
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8678
Executed On: September 19, 2012

ORDER OF COURT

Considered and ordered this 20th day of September, 2012, and ordered filed and made a part of the records in the above case.

Malcolm J. Howard
Malcolm J. Howard
Senior U.S. District Judge